

## UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

Monday, April 16, 2018 - Courtroom 9D

## THE HONORABLE GEORGE H. WU, UNITED STATES DISTRICT JUDGE

Benjamin D. Hauser Gabe Podesta Javier Gonzalez Katie Thibodeaux Noah C. Ickowitz Courtroom Deputy Clerk Court Reporter Law Clerks 8:00 a.m. 1. 5. Aharon Aron Krkasharyan (BOND) CR 15-330-GW U.S.A. v. **SENTENCING** Alexis Gregorian, USDOJ 202-768-1172 5. Nareg Gourjian 213-956-0100 (CUSTODY) 2. Sergio Juarez Vilchis CR 17-736-GW U.S.A. v. **SENTENCING** Kyle J. Ryan, AUA x3159 Cuauhtemoc Ortega, DFPD x2854 Waseem Salahi, DFPD x5669

	8:30 a.r	n.			
3.	CV 15-7775-GW(PJWx) Susan Spell, M.D. v. County of Los Angeles, et al. (440 Other CV / FQ / filed 10/04/15 - ADR)				
	STATUS CONFERENCE RE SETTLEMENT				
	Rachel R. Raymond 818-395-4750	Jaime E. Verducci 310-444-5450 Julie A. Mullane 310-410-2020			
 4.	CV 18-1094-GW(PLAx) Isabel Abrica v. DN	IC Travel Hospitality SVCS, et al.			
	(Removal - 442 CV Jobs / Div / filed 02/08/18 - ADR)				
	NCORPORATED'S AND DELAWARE NORTH NC.'S MOTION TO DISMISS PLAINTIFF'S PROCEEDINGS [16]				
	SCHEDULING CONFERENCE				
	Matthew John Matern 310-531-1900 Dalia Khalili Irina A. Kirnosova	Monica A. Rodriguez 310-277-7200 Jonathan Lawrence Brophy Jonathan D Meer			
 5.	CV 18-1898-GW(MRWx) Berj Khatchikian v.	Wells Fargo Bank, N.A., et al.			
	(Removal - 220 Foreclosure / Div / filed 03/07/18 - ADR)				
	DEFENDANTS' MOTION TO DISMISS COMPLAINT [8]				
	SCHEDULING CONFERENCE				
	Berj Khatchikian, PRO SE 818-421-0909	Viddell Lee Heard, Jr. 626-535-1900 Julie Oliva Molteni 619-645-7711			

	8:30 a.m.				
6.	CV 18-198-GW(PLAx)  H. Babaali, M.D. Medical, Inc. v. Eric Hargan, et al. (540 Mandamus / FQ / filed 01/09/18 - ADR)				
	PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION [27]				
	DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S COMPLAINT [33]				
	Alexandra de Rivera 310-444-5244  Henry Robert Fenton Nicholas D. Jurkowitz  Robyn-Marie L. Monteleone, AUSA				
7.	CV 17-8451-GW(PLAx) Francisco Gomez v. Mortgage Electric Reg. Systems, Inc., et al. (Removal - 220 Foreclosure / Div / filed 11/20/17 - ADR)				
	PLAINTIFF'S MOTION FOR AN ORDER REMANDING REMOVED ACTION BACK TO STATE COURT [25]				
	DEFENDANT ERICA JONES'S MOTION TO DISMISS FIRST AMENDED COMPLAINT [33]				
	DEFENDANTS WELLS FARGO BANK, N.A., MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AND HSBC BANK USA, N.A. MOTION TO DISMISS VERIFIED FIRST AMENDED COMPLAINT [37]				
	Francisco Gomez, PRO SE 805-340-4604 Dean A. Reeves 626-535-1900 David L. Chaffin 626-915-5714				
8.	CV 16-1968-GW(JEMx)  Aardwolf Industries, LLC v. Abaco Machines USA, Inc., et al. (840 Trademark / FQ / filed 03/22/16 - ADR)				
	PRETRIAL CONFERENCE (JT 04/24/18)				
	DEFENDANTS' MOTIONS IN LIMINE (filed 03/22/18): NO. 3 TO EXCLUDE WITNESSES NOT SPECIFICALLY IDENTIFIED OR TIMELY DISCLOSED [258];				
	NO. 7 TO EXCLUDE GOOGLE ANALYTICS REPORT OF WEBSITE AARDWOLF.COM.AU [262]; NO. 13 TO EXCLUDE EVIDENCE AND TESTIMONY OF ACTUAL CONFUSION BY PLAINTIFF'S FORMER INDIA DISTRIBUTOR [187];				
	Eric J. Menhart 855-453-9376  Alan Michael Goldberg 818-921-2226  Robert J. Lauson 310-726-0892  Michael R. Blaha				

	8:30 a.m.
). C	V 16-5493-GW (ASx) Bruce White v. State of California, et al.  (Removal - 440 Other CV / FQ / Filed: 07/22/2016 - ADR)
PI	RETRIAL CONFERENCE (JT 04/24/18)
	LAINTIFF'S MOTION IN LIMINE TO PREVENT DEFENDANT OFFICER MICHAEL FETCH'S ESTIMONY [88]
N' S N' S N' P N N' P N N N N N N N N N N N N N N	EFENDANTS' MOTIONS IN LIMINE (filed 03/21/18): IO. 1 TO EXCLUDE ANY EVIDENCE OF, OR REFERENCE TO THE FACT THAT PLAINTIFF WAS NOT READ HIS MIRANDA RIGHTS [78]; IO. 2 TO EXCLUDE ANY EVIDENCE OF, OR REFERENCE TO THE FACT THAT PLAINTIFF WAS NOT PROSECUTED AFTER HIS ARREST [79]; IO. 3 TO EXCLUDE ANY EXPERT OPINION TESTIMONY ON BEHALF OF PLAINTIFF [80]; IO. 4 TO EXCLUDE ANY EVIDENCE OF, OR REFERENCE TO THE ALLEGATION THAT LAINTIFF'S CELLPHONE AND DRIVER'S LICENSE WERE NOT - RETURNED TO HIM AFTER IIS ARREST [81]; IO. 5 TO EXCLUDE ANY EVIDENCE OF, OR REFERENCE TO THE ALLEGATION THAT LAINTIFF'S VAN WAS BROKEN INTO AFTER IT WAS IMPOUNDED AFTER HIS ARREST [82]; IO. 6 TO EXCLUDE ANY EVIDENCE OF, OR. REFERENCE TO SETTLEMENT NEGOTIATIONS ETWEEN THE PARTIES, INCLUDING BUT NOT LIMITED TO THE FACT THAT DEFENDANTS MADE NO PRETRIAL SETTLEMENT OFFER TO PLAINTIFF [83]; IO. 7 TO EXCLUDE ANY EVIDENCE OF, OR REFERENCE TO, EXCESSIVE FORCE
	LLEGEDLY USED BY PEACE OFFICERS OTHER THAN OFFICERS FETCH AND VILLARS [84 phraim O. Obi 213-252-9680 Paul Curtis Epstein 213-620-2249

8:30 a.m.				
CV 16-5051-GW(AFMx)  ALS Scan, Inc. v. Cloudflare, Inc., et al.  (820 Copyright / FQ / filed 07/11/16 - ADR)				
PRETRIAL CONFERENCE (JT 04/24/18)				
DEFENDANT'S MOTION FOR CLARIFICATION OF MARCH 13, 2018 ORDER, AMENDMENT TO CERTIFY ORDER FOR INTERLOCUTORY APPEAL, AND STAY OF PROCEEDINGS PENDING APPEAL [442]				
DEFENDANT STEADFAST NETWORKS, LLC'S DAUBERT MOTION TO EXCLUDE EXPERT REPORT AND TESTIMONY OF DR. SHAHRAM GHANDEHARIZADEH PURSUANT TO FEDERAL RULE OF EVIDENCE 702 [416]				
DEFENDANT CLOUDFLARE, INC.'S MOTION TO EXCLUDE EXPERT TESTIMONY OF DR. SHAHRAM GHANDEHARIZADEH PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 37 [426]				
DEFENDANT CLOUDFLARE, INC.'S MOTION TO EXCLUDE EXPERT TESTIMONY OF BARBARA LUNA PURSUANT TO FEDERAL RULE OF EVIDENCE 702 AND FEDERAL RULE OF CIVIL PROCEDURE 37 [428]				
DEFENDANT STEADFAST NETWORKS, LLC'S MOTIONS IN LIMINE (filed 03/22/18): NO. 1 TO EXCLUDE IMPROPER OPINION TESTIMONY FROM WITNESSES THAT ALS DID NOT DISCLOSE AS EXPERTS [417]; NO. 2 TO EXCLUDE EVIDENCE RELATING TO PROVISION OR TERMINATION OF SERVICES TO HATE GROUPS [418]; NO. 3 TO EXCLUDE EVIDENCE OF NON-COPYRIGHT DISPUTES OR OTHER LITIGATION WHERE CLOUDFLARE WAS NOT A NAMED PARTY [419]; NO. 4 TO EXCLUDE EVIDENCE RELATING TO CONDITIONS OF THE SAFE HARBOR UNDER 17 U.S.C. § 512 TO PROVE LIABILITY [420]; NO. 5 TO EXCLUDE NOTIFICATIONS OF CLAIMED INFRINGEMENT AS EVIDENCE OF INFRINGEMENT [421]; NO. 6 TO EXCLUDE EVIDENCE OF ALS'S COPYRIGHTED WORKS OTHER THAN REGISTERED WORKS IDENTIFIED IN ALS'S INFRINGEMENT CONTENTIONS [422]; NO. 7 TO EXCLUDE NON-COMPLIANT NOTIFICATIONS OF CLAIMED INFRINGEMENT AS EVIDENCE OF KNOWLEDGE [423]; NO. 8 TO EXCLUDE EVIDENCE RELATING TO CHALLENGES IN REPORTING OR COMBATING CLAIMED INFRINGEMENT [424]; NO. 9 TO EXCLUDE EVIDENCE REGARDING "STANDARD TECHNICAL MEASURES" WITHIN THE MEANING OF SECTION 512(I) [425] NO. 10 TO EXCLUDE LATE DISCLOSED WITNESS CHRISTOPHER BOFFOLI [454]				

## 8:30 a.m. ALS Scan, Inc. v. Cloudflare, Inc., et al. CV 16-5051-GW(AFMx) (820 Copyright / FQ / filed 07/11/16 - ADR) PRETRIAL CONFERENCE (JT 04/24/18) - CONTINUED PLAINTIFF'S MOTIONS IN LIMINE (filed 03/22/18; Dkt. No. 412): NO. 1 RE EVIDENCE AND OPINION REGARDING ACTUAL DAMAGES, INCLUDING THE PROPOSED TESTIMONY OF JEFF KINRICH (AGAINST CLOUDFLARE AND STEADFAST); NO. 2 RE EVIDENCE AND ARGUMENT THAT ALS MUST PROVE INDUCEMENT (AGAINST CLOUDFLARE AND STEADFAST): NO. 3 RE EVIDENCE AND ARGUMENT THAT NEITHER CLOUDFLARE NOR STEADFAST CAN BE LIABLE FOR CONTRIBUTORY INFRINGEMENT IF THEY HAVE SUBSTANTIAL NON-INFRINGING OPERATIONS (AGAINST CLOUDFLARE AND STEADFAST): NO. 4 RE EVIDENCE AND ARGUMENT THAT ALS MUST SHOW THAT EACH IMAGE HAS A TERRITORIAL NEXUS (AGAINST CLOUDFLARE): NO. 5 RE EVIDENCE AND ARGUMENT THAT EASTON ERRED IN SUBMITTING INFRINGEMENT NOTICE BY EMAIL (AGAINST CLOUDFLARE); NO. 6 RE EVIDENCE OR ARGUMENT CONCERNING EASTON EMAILS TO PARTIES OTHER THAN CLOUDFLARE OR EASTON (AGAINST CLOUDFLARE AND STEADFAST): NO. 7 RE EVIDENCE OR ARGUMENT CONCERNING WHETHER THE OPERATIONS OF NON-PARTIES CONTRIBUTE TO INFRINGEMENT (AGAINST CLOUDFLARE AND STEADFAST); NO. 8 RE EVIDENCE OR ARGUMENT THAT STEVE EASTON'S EMAILS NEEDED TO COMPLY WITH § 512(C)(3) (AGAINST CLOUDFLARE): NO. 9 RE EVIDENCE OR ARGUMENT THAT SERVICE PROVIDERS OTHER THAN CLOUDFLARE FORM A MODERN TREND TO REQUIRE SUBMISSION THROUGH WEB ABUSE PAGES (AGAINST CLOUDFLARE): NO. 10 RE EVIDENCE OR ARGUMENT CONCERNING APPEARANCE OF SARAH WALSH'S HAND IN PHOTOGRAPHS (AGAINST CLOUDFLARE); NO. 11 RE EVIDENCE OR ARGUMENT CONCERNING WHETHER ALS ENGAGES IN CHILD PORNOGRAPHY (AGAINST CLOUDFLARE): NO. 12 RE EVIDENCE OR ARGUMENT CONCERNING WHETHER ALS'S OPERATIONS ARE ILLEGAL (AGAINST STEADFAST); NO. 13 RE EVIDENCE OR ARGUMENT CONCERNING WHETHER ALS'S OPERATIONS ARE IMMORAL (AGAINST CLOUDFLARE): NO. 14 RE EVIDENCE OR ARGUMENT THAT THE DEFENDANTS CANNOT BE LIABLE WHERE THEIR CUSTOMERS ARE USER UPLOAD SITES (AGAINST CLOUDFLARE AND STEADFAST); NO. 15 RE EVIDENCE OR ARGUMENT THAT ALS'S CLAIMS ARE MITIGATED BY ITS ALLEGED FAILURE TO EMPLOY DIGITAL RIGHTS MANAGEMENT (AGAINST CLOUDFLARE AND STEADFAST); NO. 16 RE EVIDENCE OR ARGUMENT THAT ALS'S CLAIMS FAIL BECAUSE ITS MEMBERS MAY HAVE ILLEGALLY UPLOADED ALS CONTENT (AGAINST CLOUDFLARE AND STEADFAST): NO. 17 RE EVIDENCE OR ARGUMENT THAT ALS'S SHOULD HAVE OR WAS REQUIRED TO NAME FLIXYA AS A DEFENDANT (AGAINST STEADFAST); NO. 18 RE EVIDENCE OR ARGUMENT THAT ALS NEEDED TO STAGE ITS INFRINGEMENT NOTICES OR THAT STEADFAST IS NOT THE "DMCA AGENT" FOR FLIXYA (AGAINST STEADFAST): NO. 19 RE EVIDENCE OR ARGUMENT CONCERNING KARL ZIMMERMAN'S LEGAL RESEARCH AND CONCLUSIONS REGARDING STEADFAST'S POTENTIAL CONTRIBUTORY LIABILITY (AGAINST STEADFAST) Jav M. Spillane 424-217-5980 Andrew Bridges 415-875-2300 Armen Nercess Nercessian Jedediah Wakefield

	11:00 a.m.						
11.	CR 18-168-GW	U.S.A. v.	Rosa Salinas	(BOND)			
	**SEALED** CHANGE OF F	PLEA					
	Alexis Gregorian, USDOJ 20	02-768-1172	Reuven Cohen, Ret. 213-321-8071				